GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

R&B Dept. – APRDC – A.P. Road Sector Project – Widening and Strengthening of Pedana – Nuzvid – Vissannapet road from Km 7/0 to 58/920 in Krishna district. A.P (Package No. PNV-08) – Payment to Arbitrators- sanction- orders – issued.

TRANSPORT, ROADS & BUILDINGS (R.III) DEPARTMENT

G.O.RT.No. 74 Dated: 09-03-2020

Read:-

From the CE(R&B) SH & MD, APRDC, AP, Lr.No.170816/APRSP/PNV-08/Court Cases/GM/DCE-1/DEE4/AEE 23/2017, dt.13.11.2019

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O R D E R:-

In the reference read above, the CE(R&B) SH & MD, APRDC, AP has informed that the work Widening and Strengthening of Pedana – Nuzvid – Vissannapet road from Km 7/0 to 58/920 in Krishna district. A.P (Package No. PNV-08) Contract was terminated on 20.02.2016 on account of non performance of the Contractor. The Contractor M/s Ramky Infrastructure Limited has submitted their claims purported to be arisen on termination of Contract to DRB and some of the claims were admitted by DRB and some were rejected. Both the Contractor and Employer (APRDC) notified each other to commence Arbitration. Consequently Arbitration Tribunal was constituted. Arbitral Tribunal has conducted a preliminary meeting on 27.04.2019 and fixed the schedule for fee. The Presiding Arbitrator has stated that the share of the Respondent Corporation towards the Arbitrators' fees payable as per the proceedings issued by the Arbitral Tribunal on 27.04.2019. The Hon'ble Court fixed the Arbitrators' fee at the rates specified in the IV Schedule to Arbitration & Conciliation Act, 1996 (amended by Act 3/2016) and it is further made clear in the Order that the fee shall be borne by both parties in equal measure. Techno Legal Expert has been reminded in this matter by the e-mail sent on 30.08.2019. As per the proceedings recorded on 27.04.2019, one-fourth of the IV Schedule fee which works out to Rs.7.50 lakhs was to be paid to each arbitrator within a month i.e. by the end of May 2019 apart from Rs.15,000/- payable by each party towards secretarial expenses. With the above, the CE(R&B) SH & MD, APRDC, AP has requested for sanction of an amount of Rs. 15.55 lakhs towards fee payable to Arbitral Tribunal under the Head of Account 5054-04-MH800-GH11-SH (33)-280/281.

2. Government after careful examination of the matter hereby accord administrative sanction for Rs. 15.55 lakhs (Rupees Fifteen Lakhs Fifty Five Thousand only) towards fee payable to Arbitral Tribunal constituted for the work Pedana – Nuzvid – Vissannapet road from Km 7/0 to 58/920 in Krishna district (Package No. PNV-08) which was terminated on 20.02.2016

3. The amount sanctioned in para (2) above, shall be debited from the Head of Account "5054-04-MH800-GH11-SH (33)-280/281".

4. The Chief Engineer (R&B) MDRs, Vijayawada, AP, shall take further necessary action in the matter.

5. This order issued with the concurrence of Finance (FMU-TR&B) Department vide their